

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

WP(C).No. 7172 of 2007(D)

PETITIONER:

**JALAJA O.,
ASSISTANT ENGINEER, ANCHAL BLOCK PANCHAYAT,
ANCHAL P.O., KOLLAM DISTRICT.**

**BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SRI.K.I.SAGEER**

RESPONDENTS:

- 1. STATE OF KERALA,
REP. BY ITS SECRETARY TO GOVERNMENT,
DEPARTMENT OF PUBLIC WORKS, GOVT.SECRETARIAT,
THIRUVANANTHAPURAM.**
- 2. THE CHIEF ENGINEER,
P.W.D. (NATIONAL HIGHWAYS AND ADMINISTRATION,
THIRUVANANTHAPURAM.**
- 3. GOPI V.,
ASSISTANT ENGINEER, P.W.D. BUILDING SECTION,
ANCHAL (ON TRASFER), ANCHAL P.O., KOLLAM DISTRICT.**
- 4. THE PRESIDENT,
ANCHAL BLOCK PANCHAYAT, ANCHAL, KOLLAM DISTRICT.**

R1 & 2 BY GOVT. PLEADER SHRI.P.NANDAKUMAR.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

K.K.DENESAN, J.

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WP(C) .No.7172 OF 2007-D.
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Dated this the 2nd day of March, 2007.

J U D G M E N T

As per Ext.P1 order, the petitioner was transferred from the office of the Assistant Engineer, Buildings Section, Anchal. The substitute posted in the place of the petitioner is the 3rd respondent. It appears that it was a mutual arrangement. The petitioner joined duty pursuant to Ext.P1. Ext.P4 order was passed subsequently on 27-2-2007 thereby retaining the petitioner as Asst. Engineer, Buildings Section, Anchal. The reason for the issuance of that order is that the 4th respondent, the President of the Anchal Block Panchayat, expressed the view that the Panchayat would prefer to have the services of the 3rd respondent.

2. The petitioner alleges malafides in cancelling the earlier order and passing a fresh order. I am not impressed by the above contention.

The impugned order will not visit the petitioner with any adverse consequences. Her salary is not affected. Her status as Asst. Engineer is also not affected. She will continue to enjoy all service benefits in the present office also. Unless hardship is caused, there is no justification to challenge a transfer order. Transfer is an incident of service. The power of the appointing authority is almost absolute in matters like transfers and postings. There is nothing extra ordinary about this case. Therefore, this writ petition is dismissed.

K.K.DENESAN, JUDGE.

kvs/-